

Applicant Initiated Interview Request Form

Application No.: 09/960,162-Conf. #4261 First Named Applicant: Rodney T. Whisnant
Examiner: P. K. Huntsinger Art Unit: 2624 Status of Application: Published

Tentative Participants:

(1) Examiner Huntsinger (2) Carl A. Forest
(3) Supervisory Examiner Aung (4) _____

Proposed Date of Interview: September 27, 2007 Proposed Time: 10:00 (AM/PM)

Type of Interview Requested:

(1) ☐ Telephonic (2) ☒ Personal (3) ☐ Video Conference

Exhibit To Be Shown or Demonstrated: ☐ YES ☒ NO

If yes, provide brief description: _____

Issues To Be Discussed

Issues (Rej., Obj., etc)	Claims/ Fig. #s	Prior Art	Discussed	Agreed	Not Agreed
(1) <u>Rejection</u>	<u>1-15 and 18-86</u>	<u>Cocotis et al. and Ariedge Jr. et al.</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(2) _____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(3) _____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(4) _____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

☐ Continuation Sheet Attached

Brief Description of Arguments to be Presented:

Please see attached Communication In Preparation For Interview

An interview was conducted on the above-identified application on _____.

NOTE:

This form should be completed by applicant and submitted to the examiner in advance of the interview (see MPEP §713.01).

This application will not be delayed from issue because of applicant's failure to submit a written record of this interview. Therefore, applicant is advised to file a statement of the substance of this interview (37 CFR 1.133(b)) as soon as possible.

Applicant/Applicant's Representative Signature

Examiner/SPE Signature

Carl A. Forest

Typed/Printed Name of Applicant or Representative

28,494

Registration Number, if applicable

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being transmitted via the Office electronic filing system in accordance with § 1.6(a)(4).

Dated: September 21, 2007

Signature: /Carl A. Forest/
(Carl A. Forest)

Docket No.: 010684.0103PTUS
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Rodney T. Whisnant et al.

Application No.: 09/960,162

Confirmation No.: 4261

Filed: September 20, 2001

Art Unit: 2625

For: **SYSTEM FOR TRANSFERRING A DIGITAL
IMAGE FROM A PHOTOGRAPHER TO A
FULFILLMENT CENTER TO GENERATE A
PHOTOGRAPHIC PROCESS**

Examiner: P. K. Huntsinger

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

COMMUNICATION IN PREPARATION FOR INTERVIEW

An interview with the Examiner is scheduled for 10:00 AM on the morning of September 27, 2007. The purpose of the interview is to attempt to move this case to allowance. In the discussion below, the term “the Office Action” refers to the Office Action mailed June 21, 2007.

The first issue to be discussed is the Examiner’s statement on pages 4 and 5 of the Office Action that “Cocotis et. al. disclose transmitting routing information to said photographer processing unit wherein the routing information is for transmitting said digital image to one of said at least one fulfillment centers to process said order.” The Examiner cites col. 4, lines 55-67 of Cocotis et. al., and then states that “It is inherent that the system of Cocotis et al. transmits routing information to the photographer processing unit for transmitting images” because “... A website maintained by the photo shop sent to the patron includes a URL which would be routing information.” However, col. 4, lines 55-67 of Cocotis et al. cited by the Examiner merely discloses interactions between servers 15, 16, and 17, which are all part of the system of the photo shop and photo print shop system. As shown in FIG.

4, all the communications to and from the patron computer 401 take place via the interactive photo shop 402. It is respectfully submitted the Examiner is wrong in stating that the interactive photo shop computer 402 sends a URL to the patron computer. The most the photo shop computer sends are its own web pages. See col. 4, lines 45-54, for example. There is no indication anywhere in Cocotis et al. that these web pages include a URL. There is no need for a URL because, if the patron computer is communicating with the interactive photo shop computer, then it must already have its URL. Therefore, since the patron computer does not communicate with any computer other than the interactive photo shop, it does not need the URL of any other computer. Moreover, the interactive photo shop is the first processing unit of claim 1, and the routing information sent to the photographer processing unit is the routing information for the fulfillment center processing unit, which would be processing unit 404 in FIG. 4. As shown in FIG. 4 in Cocotis et al., the image is sent by the patron to the first processing unit 402, which then sends the image to the photo service provider. The only communication between the photo service provider and the patron is the shipment of ordered items, which is not an electronic communication.

The second issue to be discussed with the Examiner is the Examiner's statement of page 15 of the Office Action that Arledge Jr. et al. disclose maintaining a web page listing said fulfillment centers with hyper-linked text pointing to web pages listing said options for said fulfillment centers. The Examiner refers to FIG. 7 and col. 14, lines 16-21 of Arledge Jr. et al. for support for this statement. This figure and text only disclose that the web site address of the stores are listed. No hyper-link is disclosed. Further, this would be contrary to Arledge Jr. et al. because the point of Arledge Jr. et al. is to anonymously transfer users to the wholesaler's computer. See col. 12, line 48 through col. 13, line 13.

In addition, it is pointed out that none of the prior art systems that related to a photographic product gateway or order computer separate and distinct from the fulfillment center computers discloses the ability of the photographer or other end user to transfer the digital image directly to the fulfillment center.

The above distinctions that are not shown in the references have been included in the following proposed claims:

1. (Currently amended) A system for transferring a digital image to a fulfillment center to generate a photographic product from said digital image comprising:

a computer readable medium embodying instructions for directing a first processing unit to:

Maintain a list of a plurality of fulfillment centers available to generate a photograph from said digital image,

Receive a request from a photographer processing unit for a list of options to generate said photographic product from said digital image,

Transmit to said photographer processing unit said list of options for generating said photographic product and a photographer list of ~~at least one~~ a plurality of fulfillment center ~~centers~~ that can fulfill said options,

Receive an order from said photographer processing unit, said order specifying at least one fulfillment center to fulfill the order,

Transmit routing information to said photographer processing unit wherein said routing information is for transmitting said digital image to a fulfillment center processing unit of one of said fulfillment centers to process said order, and

Transmit said order to said fulfillment center processing unit of said one of said fulfillment centers; and

a second computer readable medium embodying instructions for directing a photographer processing unit to: establish a connection with said first processing unit; receive said photographer list of fulfillment centers from said first processing unit; display ~~said list of options and~~ said photographer list of fulfillment centers and a list of options for at least one of said fulfillment centers; after said list of options is displayed, receive an input specifying at least one fulfillment center to fulfill said order; transmit said image to said fulfillment center processing unit using said routing information; and transmit said order to said first processing unit.

44. (Currently amended) A method for generating a photographic product from a digital image, said method comprising:

Maintaining a list of fulfillment centers available to generate said photographic product from said digital image by a first processing unit;

Receiving a request from a photographer processing unit for a list of options to generate said photographic product from said digital image in said first processing unit;

Transmitting said list of options for generating said photographic product and a list of at least one fulfillment center that can fulfill said options from said first processing unit to said photographer processing unit;

Utilizing said photographer processing unit, selecting a fulfillment center using said list of options and said list of at least one fulfillment center;

Receiving an order from said photographer processing unit said order specifying at least one fulfillment center to fulfill the order;

Transmitting routing information to said photographer processing unit wherein said routing information is for transmitting said digital image to a one of said fulfillment centers to process said order; [[and]]

Transmitting said digital image from said photographer processing unit to said fulfillment center processing unit using said routing information; and

Transmitting said order to a fulfillment center processing unit of said one of said fulfillment centers.

87. (New) A system for transferring a digital image to a fulfillment center to generate a photographic product from said digital image comprising:

a computer readable medium embodying instructions for directing a first processing unit to:

Maintain a list of a plurality of fulfillment centers available to generate a photograph from said digital image;

Receive a request from a photographer processing unit for a list of said fulfillment centers;

Transmit to said photographer processing unit said list of a plurality of fulfillment centers;

Receive from said photographer processing unit a request for a list of options available from at least one of said fulfillment centers, said list of options comprising a plurality of options to generate said photographic product from said digital image;

Connect said photographer processing unit to a web page showing said list of options;

Receive an order from said photographer processing unit, said order specifying at least one fulfillment center to fulfill the order;

Transmit routing information to said photographer processing unit wherein said routing information is for transmitting said digital image to a fulfillment center processing unit of one of said fulfillment centers to process said order, wherein said fulfillment center processing unit is a different processing unit than said first processing unit; and

Transmit said order to said fulfillment center processing unit of said one of said fulfillment centers; and

a second computer readable medium embodying instructions for directing a photographer processing unit to: establish a connection with said first processing unit; receive a list of fulfillment centers from said first processing unit; display said list of fulfillment centers; send a request for a list of options available from at least one of said fulfillment centers, said list of options comprising a plurality of options to generate said photographic product from said digital image; display said list of options; after said list of options is displayed, receive an input specifying at least one fulfillment center to fulfill said order; transmit said order to said first processing unit; and transmit said digital image to said fulfillment center processing unit.

88. (New) A system as in claim 87 wherein said instructions for maintaining a list of fulfillment centers comprises maintaining a web page listing of said fulfillment centers with hyper-text pointing to web pages listing said options for said fulfillment centers.

89. (New) A method for generating a photographic product from a digital image, said method comprising:

Maintaining in a first processing unit a list of fulfillment centers available to generate said photographic product from said digital image;

Receiving at said first processing unit a request from a photographer processing unit for a list of fulfillment centers and providing said list of fulfillment centers to said photographer processing unit;

Utilizing said photographer processing unit, receiving said list of fulfillment centers, displaying a list of options for generating said photographic product at one or more of said fulfillment centers, selecting a fulfillment center using said list of options, transmitting said digital image from said photographer processing unit to the fulfillment center processing unit of said selected fulfillment center, and transmitting said order to said first processing unit;

Receiving at said first processing unit an order from said photographer processing unit said order specifying said selected fulfillment center to fulfill the order; and

Transmitting said order from said first processing unit to the fulfillment center processing unit of said selected fulfillment center.

90. (New) A method as in claim 89 wherein said maintaining comprises maintaining a web page listing of said fulfillment centers with hyper-text pointing to web pages listing said options for said fulfillment centers.

The Applicants are requesting the undersigned discuss these claims with the Examiner to see if these claims or variations on them would be allowable.

The Applicants understand that the reasons for rejection sometimes are reasons of the Supervisory Examiner. Therefore, if the Applicants' attorney is not able to reach a formulation that would place the application in condition for allowance with the Examiner, then the Applicants would like to have the undersigned speak with Supervisor Examiner Moe Aung. This can either be at the same time as the interview with the Examiner, or can be done at a later time.

Respectfully submitted,
PATTON BOGGS LLP

Dated: September 21, 2007

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